

BASF Corporation

BASF

Jacobs
→ *Ivory* ~~*Jacobs*~~
→ *Rick Huckley*

FEDERAL EXPRESS

June 30, 1988

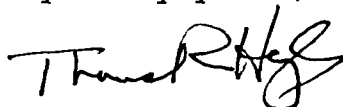
Connie Puchalski, Esq
U.S. Environmental Protection Agency
Region V (5CS TUB3)
230 South Dearborn
Chicago, IL 60604

RE: US v. BASF
Docket No. 30-73699

Dear Connie:

Pursuant to the attached Consent Decree, enclosed you will find our check in the amount of \$30,000 in payment of the penalty assessed to BASF Corporation.

Very truly yours,



Thomas R. Hays
Senior Attorney

:mh
encl

cc: Thomas A. Mariani, Jr
US Department of Justice

*Susan Pie says give check to your
financial management section.
Call Susan Antero*

US EPA RECORDS CENTER REGION 5



406778

BASF Corporation
Chemicals Division
100 Cherry Hill Road
Parsippany, N.J. 07054

BASF

74-1292/724

No. 017166

VOID 90 DAYS
AFTER THIS DATE

6/30/88


AMOUNT

PAY ▶ \$ 30,000.00**

TO THE
ORDER
OF

Treasury of United States
US EPA, Region V (5CS TUB 3)
230 South Dearborn
Chicago, IL 60604

BASF Corporation Chemicals Division



FOR TREASURER



DEARBORN BANK, N.A.
Dearborn, MI 48126

⑈017166⑈ ⑆072412927⑆

01030906⑈

BASF Corporation Chemicals Division

Parsippany, New Jersey 07054

No. 017166

INVOICE		NET AMOUNT	OTHER REFERENCE	NET AMOUNT
DATE	NUMBER			
6/30/88			Penalty re: Riverview Contempt Settlement	\$30,000.00*

REMITTANCE ADVICE

ACCEPTANCE AND ENDORSEMENT OF ATTACHED CHECK WILL ACKNOWLEDGE PAYMENT IN FULL OF INVOICES LISTED HEREON.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

FRANK J. KELLEY, Attorney General
for the State of Michigan, FRANK
J. KELLEY, ex rel. MICHIGAN NATURAL
RESOURCES COMMISSION, MICHIGAN
WATER RESOURCES COMMISSION and
RONALD SKOOG, Director of the
Michigan Department of Natural
Resources,

Intervenor-Plaintiffs,

v.

BASF WYANDOTTE CORPORATION,

Defendant.

Civil No. 80-73699

HONORABLE BARBARA HACKETT

STIPULATION AND ORDER

In light of plaintiffs' joint motion to amend the Consent Decree entered in July 1984, the parties stipulate and the Court orders that:

1. Monitor Wells Nos. 4S, 8, and 10, which were reinstalled by BASF in September 1987, shall be treated as if they were installed in compliance with Section V.B.1 of the 1984 Consent Decree and as if they were in place as of July 1, 1985. Any further action regarding Wells Nos. 4S, 8, and 10 shall be in accordance with the 1984 Consent Decree;

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2. Within twenty days of entry of the stipulation and order, BASF shall pay in total the sum of \$40,000, apportioned as follows:

\$30,000 to the United States; and

\$10,000 to the State of Michigan;

These sums shall be paid by certified checks, the first one made payable to the Treasury of the United States and mailed to U.S. EPA Region V, and the second one made payable to the Attorney General of the State of Michigan and mailed to the Environmental Protection Division, Department of the Attorney General;

3. BASF, including its parents and subsidiaries, will not use any of these sums as deductions or adjustments against its federal, state, local, or other tax liabilities;

4. BASF does not admit any violation or non-conformance with the terms of the 1984 Consent Decree;

5. The stipulation and order resolves the U.S. Motion for Civil Contempt, and that motion is dismissed with prejudice and without costs; and


6. Nothing in the stipulation and order affects any matter at the Riverview site beyond Monitor Wells Nos. 4S, 8, and 10, except that the United States and the State of Michigan agree, as of the date the parties entered into this stipulation:

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- (i) that all monitor wells that should be installed at the Riverview Site have been installed at the Site,
- (ii) that those wells have been installed properly, and
- (iii) that, accordingly, all the parties to this stipulation intend that it will resolve all alleged violations of the Consent Decree by BASF with respect to installation of the monitor wells called for in the Consent Decree.

The parties stipulate to the form and content of this document.

For BASF Wyandotte (now known as BASF Corporation-Chemicals):

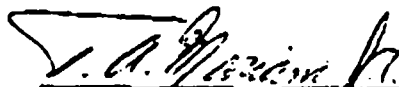

William C. Potter, Jr.
Houghton, Potter, Sweeney & Brenner
330 Guardian Building
Detroit, Michigan 48226

For the State of Michigan:


Honorable Frank J. Kelley
Attorney General
State of Michigan

Stewart Freeman
Assistant Attorney General
In Charge

- 5 -



Thomas A. Mariani, Jr.
U.S. Department of Justice
Environmental Enforcement Section
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044
(202) 633-4620



Office of Enforcement and
Compliance Monitoring
United States Environmental
Protection Agency
401 M Street, S.W. [LE-134S]
Washington, D.C. 20460



Connie Puchalski
Office of Regional Counsel
United States Environmental
Protection Agency
Region V [5CS TUB 3]
230 South Dearborn Street
Chicago, Illinois 60604

BARBARA K. HACKETT

SO ORDERED: _____

BARBARA HACKETT
United States District Judge

(Date: JUN 09 1988)

A TRUE COPY
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

BY 
DEPUTY CLERK

- 4 -

Kathleen L. Cavanaugh
Kathleen Cavanaugh
Assistant Attorney General
525 West Ottawa
720 Law Building, Seventh Floor
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For the United States of America:

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Roger J. Marzulla
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United States Department of Justice

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United States Attorney
Eastern District of Michigan

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